

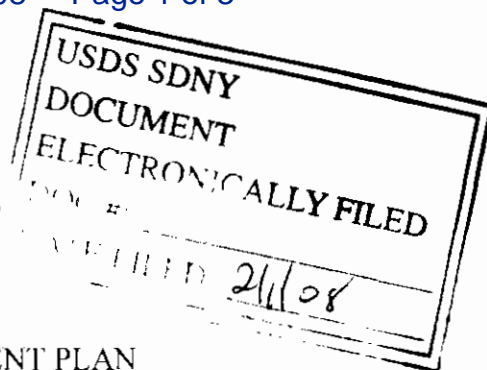
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LEONIS FRANKLIN,

Plaintiff,

-v-

X Docket No: 07CV8590
(RS/DF)



CASE MANAGEMENT PLAN
AND
SCHEDULING ORDER

FUJITEC SERGE OF NY and "JOHN DOE"
A FICTITIOUS NAME FOR A FOREMAN
EMPLOYED BY FUJITEC SERGE OF NY

Defendants.

----- X
RICHARD J. SULLIVAN, District Judge:

At the conference before the Court held on February 1, 2008, this Case Management Plan and Scheduling Order was adopted in accordance with Rules 16-26(f) of the Federal Rules of Civil Procedure.

1. All parties [do not consent] to trial by Magistrate Judge, pursuant to 28 U.S.C. § 636(c).
2. This case is to be tried to a jury.
3. No additional parties may be joined except with leave of the Court.
4. Amended pleadings may not be filed except with leave of the Court.
5. Initial disclosures pursuant to Rule 26(a)(1) will be completed not later than February 15, 2008.
6. All *fact* discovery is to be completed no later than May 28, 2008.
7. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the parties on consent without application to the Court, provided the parties meet the fact discovery completion date in paragraph 6 above:
 - a. Initial requests for production of documents to be served by February 22, 2008.
 - b. Interrogatories to be served by 14 days after depositions of the parties.

c. Depositions to be completed by March 31, 2008.

i. Unless the parties agree or the Court so orders, depositions are not to be held until all parties have responded to initial requests for document production.

ii. There is no priority in deposition by reason of a party's status as plaintiff or defendant.

iii. Unless the parties agree or the Court so orders, non-party depositions shall follow initial party depositions.

d. Requests to Admit to be served no later than 14 days after depositions of the parties.

8. All *expert* disclosures, including reports, production of underlying documents and depositions are to be completed by:

a. Expert(s) of Plaintiff(s) by June 18, 2008 (plaintiff will submit a narrative report of his medical expert prior to submitting to a physical examination by a physician designated for that purpose by defendant);

h. Expert(s) of Defendant(s) by ~~July 9, 2008~~ June 18, 2008

9. All discovery is to be completed no later than ~~August 8, 2008~~ June 25, 2008

10. The Court will schedule a post-discovery status conference (see ¶ 16) within three weeks of the close of all discovery. ~~August 19, 2008~~ July 21, 2008

11. Pre-motion letters regarding dispositive motions, if any, are to be submitted no later than two weeks prior to the post-discovery status conference date listed in ¶

18. In accord with this Court's Individual Rule 2.A, response letters thereto are to

be submitted within three business days from service of the initial pre-motion letter. July 3;

12. All counsel must meet for at least one hour to discuss settlement not later than two

weeks following the close of fact discovery. Accordingly, Counsel for the parties

have discussed holding a settlement conference before a Magistrate Judge or the

Southern District's Mediation Program and request: [check one]

a. _____ Referral to a Magistrate Judge for settlement discussions

b. X Referral to the Southern District's Mediation Program

13. The parties shall submit a Joint Pretrial Order prepared in accordance with the undersigned's Individual Practice Rule 3 and Rule 26(a)(3). If this action is to be

tried before a jury, proposed *voir dire*, jury instructions and a verdict form shall be filed with the Joint Pretrial Order. Counsel are required to meet and confer on jury instructions and verdict form in an effort to make an agreed upon submission.

14. Parties have conferred and their present best estimate of the length of trial is 3 days..

TO BE COMPLETED BY THE COURT:

15. [Other directions to the parties:]

16. The post-discovery status conference is scheduled for at .

July 21, 2008
at 4:30

SO ORDERED.

DATED: New York, New York

Feb 1, 2008

RICHARD J. SULLIVAN

UNITED STATES DISTRICT JUDGE

